

September 1, 2015

Burnet R. Maybank, III
Member
Admitted in SC

VIA ELECTRONIC FILING

Ms. Jocelyn Boyd
Chief Clerk and Administrator
South Carolina Public Service Commission
Synergy Business Park, The Saluda Building
101 Executive Center Drive, Suite 100
Columbia, South Carolina 29210

Re: DOCKET NUMBER 2015-290-C - PETITION OF THE SOUTH CAROLINA TELEPHONE COALITION FOR A DETERMINATION THAT WIRELESS CARRIERS ARE PROVIDING RADIO-BASED LOCAL EXCHANGE SERVICES IN SOUTH CAROLINA THAT COMPETE WITH LOCAL TELECOMMUNICATIONS SERVICE PROVIDED IN THE STATE

Charleston

Charlotte

Columbia

Greensboro

Greenville

Hilton Head

Myrtle Beach

Raleigh

Dear Ladies and Gentlemen:

Attached for filing please find a Docket Cover Sheet, Petition to Intervene and a Certificate of Service for the above-referenced matter.

By copy of this letter, I am serving all parties of record with a copy of the documents referenced above as indicated on the attached Certificate of Service.

If you have any questions, please do not hesitate to contact us.

Very truly yours,



Burnet R. Maybank, III

BRM/sjn

Enclosures

cc: Nanette S. Edwards, Esq. via email

STATE OF SOUTH CAROLINA

(Caption of Case)

IN RE: PETITION OF THE SOUTH CAROLINA
TELEPHONE COALITION FOR A
DETERMINATION THAT WIRELESS CARRIERS
ARE PROVIDING RADIO-BASED LOCAL
EXCHANGE SERVICES IN SOUTH CAROLINA
THAT COMPETE WITH LOCAL
TELECOMMUNICATIONS SERVICE PROVIDED
IN THE STATE

BEFORE THE
PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA

COVER SHEET

DOCKET
NUMBER: 2015 - 290 - C

(Please type or print)

Submitted by: Burnet R. Maybank, III, Esq.SC Bar Number: 3699Address: Nexsen Pruet, LLCTelephone: 803-771-89001230 Main Street, Suite 700Fax: 803-253-8277Columbia, South Carolina 29201Other: 803-540-2048Email: bmaybank@nexsenpruet.com

NOTE: The cover sheet and information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is required for use by the Public Service Commission of South Carolina for the purpose of docketing and must be filled out completely.

DOCKETING INFORMATION (Check all that apply)

☐ Emergency Relief demanded in petition☒ Request for item to be placed on Commission's Agenda expeditiously☐ Other: _____

INDUSTRY (Check one)	NATURE OF ACTION (Check all that apply)		
<input type="checkbox"/> Electric	<input type="checkbox"/> Affidavit	<input checked="" type="checkbox"/> Letter	<input type="checkbox"/> Request
<input type="checkbox"/> Electric/Gas	<input type="checkbox"/> Agreement	<input type="checkbox"/> Memorandum	<input type="checkbox"/> Request for Certification
<input type="checkbox"/> Electric/Telecommunications	<input type="checkbox"/> Answer	<input type="checkbox"/> Motion	<input type="checkbox"/> Request for Investigation
<input type="checkbox"/> Electric/Water	<input type="checkbox"/> Appellate Review	<input type="checkbox"/> Objection	<input type="checkbox"/> Resale Agreement
<input type="checkbox"/> Electric/Water/Telecom.	<input type="checkbox"/> Application	<input type="checkbox"/> Petition	<input type="checkbox"/> Resale Amendment
<input type="checkbox"/> Electric/Water/Sewer	<input type="checkbox"/> Brief	<input type="checkbox"/> Petition for Reconsideration	<input type="checkbox"/> Reservation Letter
<input type="checkbox"/> Gas	<input type="checkbox"/> Certificate	<input type="checkbox"/> Petition for Rulemaking	<input type="checkbox"/> Response
<input type="checkbox"/> Railroad	<input type="checkbox"/> Comments	<input type="checkbox"/> Petition for Rule to Show Cause	<input type="checkbox"/> Response to Discovery
<input type="checkbox"/> Sewer	<input type="checkbox"/> Complaint	<input checked="" type="checkbox"/> Petition to Intervene	<input type="checkbox"/> Return to Petition
<input checked="" type="checkbox"/> Telecommunications	<input type="checkbox"/> Consent Order	<input type="checkbox"/> Petition to Intervene Out of Time	<input type="checkbox"/> Stipulation
<input type="checkbox"/> Transportation	<input type="checkbox"/> Discovery	<input type="checkbox"/> Prefiled Testimony	<input type="checkbox"/> Subpoena
<input type="checkbox"/> Water	<input type="checkbox"/> Exhibit	<input type="checkbox"/> Promotion	<input type="checkbox"/> Tariff
<input type="checkbox"/> Water/Sewer	<input type="checkbox"/> Expedited Consideration	<input type="checkbox"/> Proposed Order	<input type="checkbox"/> Other: <u>Docket Cover</u>
<input type="checkbox"/> Administrative Matter	<input type="checkbox"/> Interconnection Agreement	<input type="checkbox"/> Protest	<u>Sheet</u>
<input type="checkbox"/> Other: _____	<input type="checkbox"/> Interconnection Amendment	<input type="checkbox"/> Publisher's Affidavit	
	<input type="checkbox"/> Late-Filed Exhibit	<input type="checkbox"/> Report	

Print Form

Reset Form

**BEFORE THE
PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA**

IN RE: PETITION OF THE SOUTH)	
CAROLINA TELEPHONE COALITION)	
FOR A DETERMINATION THAT)	Docket No. 2015-290-C
WIRELESS CARRIERS ARE PROVIDING)	
RADIO-BASED LOCAL EXCHANGE)	
SERVICES IN SOUTH CAROLINA THAT)	
COMPETE WITH LOCAL)	
TELECOMMUNICATIONS SERVICE)	
PROVIDED IN THE STATE)	

**WINDSTREAM SOUTH CAROLINA, LLC AND
WINDSTREAM NUVOX, LLC**

PETITION TO INTERVENE

Petitioner Windstream South Carolina, LLC, on behalf of Windstream South Carolina as an incumbent local exchange provider recipient of State USF (“Windstream SC”), and Windstream Nuvox, LLC, on behalf of Windstream Nuvox as a competitive local exchange provider contributor, together with McLeodUSA Telecommunications Services, LLC, PAETEC Communications, LLC, The Other Phone Company, US LEC of South Carolina, LLC and Windstream Communications, LLC, to the fund (Windstream SC and “Windstream Nuvox”, collectively known as “Windstream”), hereby petitions the South Carolina Public Service Commission (“Commission”) pursuant to Rule 103-825 of the Commission’s Rules, for an order allowing Windstream to intervene in the above-referenced Docket with full rights to participate as a party of record. In support of its Petition, Windstream submits the following to the Commission:

1. Windstream is a facilities-based incumbent local exchange carrier in South Carolina.

2. Windstream seeks to intervene in this proceeding with full rights to participate as a party of record to represent its interests.

3. On August 12, 2015, the South Carolina Telephone Coalition and its individual member companies ("SCTC") filed a Petition for a determination that wireless carriers who offer retail wireless services in South Carolina ("State"), are providing radio-based local exchange services in South Carolina that compete with local telecommunications service provided in the State.

4. Windstream also receives funds from the state universal service fund ("State USF"). To the extent the Commission decides it would be appropriate to consider the issues raised by SCTC USF in the context of this docket, Windstream also has a direct and substantial interest in the subject matter of the Petition in this matter.

5. While Windstream has not fully developed a final position at this time, Windstream believes that its participation in this proceeding is essential to protect its interests and ensure a full and fair consideration of the issues raised in this proceeding.

6. Granting this Petition will not cause any undue delay, and it will not prejudice any party to this proceeding.

7. Correspondence and communications to Windstream with respect to this proceeding should be directed to undersigned counsel and Windstream regulatory contact:

Burnet R. Maybank III
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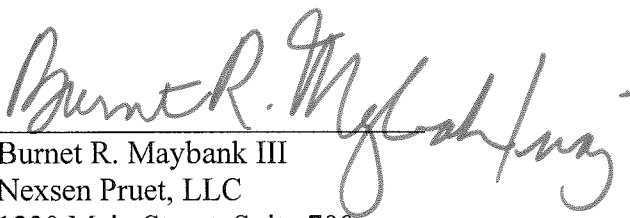
Bettye J. Willis
Windstream Communications
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Atlanta, GA 30309
E-Mail: bettye.j.willis@windstream.com
Telephone: (678) 351-2049
Facsimile: (404) 474-9677

WHEREFORE, based upon the foregoing, Windstream respectfully requests that the Commission grant this Petition to Intervene as a formal party of record, permit its intervention to protect its interests, direct any and all parties of record provide it with a copy of any pleadings, testimony and exhibits or any other filings made in this proceeding, and grant all such other relief that deems just and proper.

Respectfully submitted this 1st of September, 2015.

WINDSTREAM SOUTH CAROLINA, LLC
WINDSTREAM NUVOX, LLC

By:


Burnet R. Maybank III
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Columbia, South Carolina 29201
Telephone: (803) 771-8900
Local Counsel for Windstream

**BEFORE THE
PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA**

Docket Number 2015-290-C

PETITION TO INTERVENE

CERTIFICATE OF SERVICE

I, Shirley J. Neal, an employee of Nexsen Pruet, LLC, hereby certify that on this 1st day of September, 2015, served a copy of the attached Petition to Intervene of Windstream South Carolina, LLC and Windstream Nuvox, LLC in the above-referenced matter to the persons below by email and by causing said copy to be deposited with the United States Postal Service, via first class postage prepaid to and addressed as shown below:

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Shirley J. Neal